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Date: 7/25/2018 4:03:14 PM

Subject: East Waterway Dispute Initiated by the Port on 7/12/18

Dear Tom,

In a letter dated and received by EPA on July 12, 2018, the Port of Seattle (Port) initiated a dispute pursuant to the Administrative Settlement Agreement and Order on Consent for Supplemental Remedial Investigation/Feasibility Study (ASAOC) in CERCLA Docket No. 10-2007-0030. Based on our communications since that time, a negotiated compromise of the dispute seems unlikely, so EPA will not be extending the 14-day period allotted under the ASAOC for negotiation of a resolution to the dispute. As a result, the negotiation period will end tomorrow, Thursday, July 26, 2018, without the parties having achieved a resolution of the dispute. The dispute will now be decided by Sheryl Bilbrey, Director of the EPA Office of Environmental Cleanup.

As we have discussed, EPA and the Port would find useful to provide Ms. Bilbrey with written submissions outlining our respective positions on the dispute. With that in mind, we have agreed that the Port may have until Thursday, August 9, 2018, to provide its written submission on the dispute, and EPA may have until Thursday, August 23, 2018, to provide its written responsive submission.

Please let me know if I failed to accurately capture our understandings in this matter.

Respectfully,

Richard

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